

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS DIVISION

BYRON F. CHURCH and )  
KATHLEEN B. CHURCH, )  
                        )  
Plaintiffs,           )  
v.                     )       No. 02-341-GPM  
                        )       St. Clair County #: 01 L 756  
GEORGE BURGESS and )  
CARDINAL FREIGHT CARRIERS, INC., )  
                        )  
Defendants/Third Party Plaintiffs, )  
vs.                    )  
                        )  
JOHN DEERE SHARED SERVICES, )  
INC., and CONSOLIDATED )  
PERSONNEL CORP.,      )  
                        )  
Third Party Defendants.   )

**PLAINTIFFS' PRETRIAL DISCLOSURES PURSUANT TO F.R.C.P. 26(a)(3)**

COME NOW Plaintiffs, BYRON F. CHURCH and KATHLEEN B. CHURCH,  
by and through counsel, and hereby provide their Pretrial Disclosures Pursuant to  
F.R.C.P. 26(a)(3), as follows:

A.       \*       Byron Church  
          \*       Kathleen Church  
          \*       Fred Miller  
          \*       George Burgess  
          \*       Robert Sanders  
          \*       Trooper M. Schmitt  
          \*       Dr. Richard Kreiter  
          \*\*      Dr. Michael Creer  
          \*       Dr. Thomas Otto  
          \*\*      Dr. Mark Shapiro  
          \*       Dr. Denise McMonagle  
          \*\*      Dr. Michael Cullen  
          \*\*      Dr. Jim Licandro  
          \*\*      Dr. Richard Sadler  
          \*\*      Dr. David Rohlf

\*\* Dr. Stephen TouVelle  
\* Dr. Stan Smith  
\*\* Dr. John Frederick  
\*\* Dr. Peter Fries  
\*\* Dr. Arthur Searle  
\*\* Dr. James Darrow  
\*\* Dr. Laurie Byrne  
\*\* Dr. C. Main  
\*\* Dr. Eric Sargent  
\*\* Records custodians of all medical providers  
\*\* David Palmer, Adjuster for Cardinal Freight Carriers, Inc.  
\* Jill Coble, Cardinal Freight Carriers, Inc.  
\*\* Sheri Behr, Paradigm Investigative Solutions  
\*\* Trooper K. Stephens, Illinois State Police  
\* Larry Fultz  
\*\* Jim Potthast  
\* F. Cecil Dunbar  
\* Victoria Pharr  
\* Jerry Richard Stone  
\* G. Dwayne Singleton  
\* John R. Neal  
\* Kent A. Jayne  
\*\* Larry DeBrock  
\* Robert Seyfried

\* party expects to present  
\*\* party may call if the need arises

- B. 1. Larry Fultz  
2. Jerry Richard Stone  
3. G. Dwayne Singleton  
4. F. Cecil Dunbar  
5. Victoria Pharr
- C. Plaintiffs completed an Exhibit List on this Court's exhibit template and forwarded said template to attorneys for defendants on April 30, 2004. (See attachment).

BYRON F. CHURCH and KATHLEEN B.  
CHURCH,  
Plaintiffs,

BY: S/Thomas M. Harris  
Attorney for Plaintiffs

JEROME MIRZA & ASSOCIATES, LTD.  
Attorneys for Plaintiff  
705 E. Washington Street  
Bloomington, IL 61701  
309/827-8011

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

**EXHIBIT LIST**

**Style:** BYRON F. CHURCH, et al. v. GEORGE BURGESS, et al.

**CASE NUMBER:** 02-341-GPM

**Presiding Judge**  
**G. Patrick Murphy**

**Plaintiff's Attorney**  
**Thomas Harris**

**Defendant's Attorney**  
**Michael Pitzer: Burgess/Cardinal**  
**James Stockberger: Deere/Cons. Pers.**

**Trial Dates**  
June, 2004

**Court Reporter**  
Molly Clayton

**Courtroom Deputy**  
Linda Cook

<b>Plf. No.</b>	<b>Deft. No.</b>	<b>Third-Pty Deft.</b>	<b>Date Marked</b>	<b>Admitted</b>	<b>Description</b>
1 *					Photographs of location of accident
2 *					Photographs of vehicles
3 *					Photographs of Byron Church & injuries
4 *					Technical drawings of rest area & ramps
5 *					Videotape of physical therapy
6 *					Invoice of Bud's Trailer Repair, Inc.
7 *					George Burgess' personnel file (driving history and moving violations)
8 *					George Burgess' daily log
9 *					625 ILCS 5/11-905 "Merging Traffic"
10**					US DOT Guidance Information (Neal Dep.Ex.5)
11*					FMCSR Sec.395.3 "Maximum Driving and On-duty Time"
12**					FMCSR Interpretations (Neal Dep. Ex.6)
13**					"Speed limits on Rural Interstate Highways" (Neal Dep.Ex.8)
14**					Keller's Decision Driving Handbook (Neal Dep.Ex.8)

<b>Plf. No.</b>	<b>Deft. No.</b>	<b>Third-Pty Deft.</b>	<b>Date Marked</b>	<b>Admitted</b>	<b>Description</b>
15 *					625 ILCS 5/11-606 "Minimum speed regulation"
16 **					Medical equipment
17*					Cardinal Freight Driver's Handbook
18*					Bill of Lading (Tex Tech Industries)
19*					Cardinal Event Report
20*					Mortality Tables
21**					Medical records from Dr. Denise McMonagle
22 **					Medical records from Dr. Stephen Touville
23**					Medical records from St. Louis University Hospital
24**					Medical records from Dr. Thomas Otto/Dr. Michael Shapiro
25**					Medical records from Genesis Medical Center Rehabilitation Unit
26**					Medical records from Genesis Medical Center
27**					Medical records from Rock Valley Industrial Therapy Center
28**					Medical records from Dr. Stan Smith (Psychology Associates, Ltd.)
29**					Medical records from Christian Hospital
30**					Medical records from Dr. Michael Cullen
31**					Medical records from Eye Surgeon Associates (Dr. Frederick & Dr. Fries)
32**					Medical records from Dr. Jim Licandro
33**					Medical records from Dr. Richard Kreiter
34**					Medical records from Dr. David Rohlf
35**					Medical records from Dr. James Darrow

<b>Plf. No.</b>	<b>Deft. No.</b>	<b>Third-Pty Deft.</b>	<b>Date Marked</b>	<b>Admitted</b>	<b>Description</b>
36**					Medical records from Dentistry Unlimited
37**					Plaintiffs' income tax returns for years 1996 through 2003
38*					Medical bills and medical bills summary
39**					"Commercial Motor Vehicle Driver Fatigue and Alertness Study" by Federal Highway Administration
40**					"Factors That Affect Fatigue in Heavy Truck Accidents" by NTSB
41**					Economic Report of Lawrence DeBrock
42*					Vocational Economic Assessment of Kent A. Jayne
43*					Illinois Rules of the Road

\* party expects to offer

\*\* party may offer if the need arises